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UNITED STATES DISTRICT COURT

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SOUTHERN DISTRICT OF TEXAS

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United States of America, §  
§  
Plaintiff, §  
§  
vs. § Civil Action \_\_\_\_\_  
§ (CDCS: 2019A08337)  
Hence Emergency Services, Inc., §  
§  
Defendant. §

## Complaint

1. *Jurisdiction.* The district court has jurisdiction because the United States is a party. *See* U.S. CONST., art III, § 2, and 28 U.S.C. § 1345.
2. *Venue.* The principal place of business of defendant is in Fort Bend County, Texas, and it may be served with process by serving its registered agent, Zac O. Agoba, at 3001 Dove Country #610, Stafford, Texas 77477.
3. *The Debt.* The debt owed to the United States arose through U.S. Health & Human Services, Centers for Medicare and Medicaid Services, Medicare Overpayment. The debt on the date of the Certificate of Indebtedness was:

A.	Current principal	\$	17,909.62
B.	Interest (capitalized and accrued)	\$	8,860.83
C.	Administrative fees, costs, penalties (Including \$400.00 Filing fee)	\$	400.00
D.	Attorney's fees	\$	785.00
E.	Balance due	\$	<u>27,955.45</u>

- F. Prejudgment interest accrues at 10.12% per annum being \$4.97 per day.
  - G. The current principal in paragraph 3 A is after credits of \$0.00.
4. *Default.* The United States has demanded that the defendant pay the indebtedness, and the defendant has failed to pay it.
5. *Prayer.* The United States prays for judgment for:
- A. The sums in paragraph 3, pre-judgment interest, administrative costs, and post-judgment interest.
  - B. Attorney's fees; and,
  - C. Other relief the court deems proper.

Respectfully submitted,

CERSONSKY, ROSEN & GARCÍA, P.C.

By: /s/ M. H. Cersonsky  
M. H. Cersonsky, TBN: 04048500  
1770 St. James Place, Suite 150  
Houston, Texas 77056  
Telephone: (713) 600-8500  
Fax: (713) 600-8585

Attorneys for Plaintiff

For Important Information About This Lawsuit Please See Next Page.

## **Federal Court Suit**

- 1. You have been served in a lawsuit.**
- 2. If you dispute the debt in it, you must file a written response to the lawsuit with the court and the government's lawyer. If you do not, a default judgment will be taken against you.**
- 3. Your written response is due 21 days after the day you got the lawsuit papers.**
- 4. Mail your written response to:**

**Clerk  
United States District Court  
P.O. Box 61010  
Houston, Texas 77208**

**and send a copy to the lawyers for the United States at:**

**M. H. Cersonsky  
Cersonsky, Rosen & García, P.C.  
1770 St. James Place, Suite 150  
Houston, Texas 77056**

**Be sure to put your case number and name on your response.**

- 5. If you do not dispute the debt claimed in the lawsuit and want a payment plan, please contact Eddith Salazar at (713) 600-8500.**



U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF THE FISCAL SERVICE  
WASHINGTON, DC 20227

ACTING ON BEHALF OF  
U.S. HEALTH & HUMAN SERVICES  
CERTIFICATE OF INDEBTEDNESS

Hence Emergency Services, Inc.  
3001 Dove Country 610  
Stafford, Texas 77477  
TIN: 32-0398531

Agency Debt ID No.: 2014150639

I hereby certify, as part of my duties with the U.S. Department of the Treasury (Treasury), including referring matters to the U.S. Department of Justice (DOJ) for litigation, I am a custodian of records of certain files sent by the U.S. Department of Health and Human Services (HHS), Centers for Medicare and Medicaid Services (CMS) to Treasury for collection actions. As a custodian of records for Treasury, I have care and custody of records relating to the debt owed by Hence Emergency Services, Inc., (DEBTOR) to HHS.

The information contained in this Certificate of Indebtedness is based on documents created by an employee or contractor of HHS based on his/her knowledge at or near the time the events were recorded, including the review of the delinquency of overpayments, or by an employee or contractor of Treasury based on his/her knowledge at or near the time the events were recorded, including the review of the delinquency of overpayments. Treasury's regular business practice is to receive, store and rely on the documents provided by HHS, when, debts are referred to Treasury for collection activities, including litigation.

HHS referred the claim to Treasury's Bureau of the Fiscal Service, Debt Management Services (DMS) for litigation and collection on June 6, 2014. Further, I certify that I am familiar with Treasury's record keeping practices, including the receipt of files from HHS.

On November 21, 2013, HHS determined the DEBTOR delinquent for an overpayment in the amount of \$17,909.62 with an annual interest rate of 10.12%, for CMS services rendered. HHS sent the DEBTOR letters advising of the overpayment and requesting payment to no avail.

On November 2, 2018, DMS referred the claim to DOJ for litigation and collection in the amount due of \$26,770.45 with daily interest of \$4.97, and as of this date, the DEBTOR is indebted to the United States in the amounts stated as follows:

Principal:	\$ 17,909.62
Interest (@10.12%):	\$ 8,860.83
Total:	\$ 26,770.45





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The balance stated in the case listed above is current as of November 2, 2018, including any applicable interest, penalties, administrative fees, and DMS & DOJ fees (pursuant to 31 U.S.C. 3717(e) and 3711(g)(6), (7); 31 C.F.R. 285.12(j) and 31 C.F.R. 901.1(f); and 28 U.S.C. 527, note).

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief based upon information provided by the HHS and information contained in Treasury's records.

11/6/2018

A handwritten signature in black ink, enclosed in a rectangular box. The signature reads "X Natalie R. Stubbs".

Signed by: Natalie R. Stubbs  
Natalie R. Stubbs  
Financial Program Specialist  
U.S. Department of the Treasury  
Bureau of the Fiscal Service